



Darcy L. Endo-Omoto
Vice President
Government & Community Affairs

February 26, 2009

The Honorable Chairman and Members of the
Hawaii Public Utilities Commission
Kekuanaoa Building, First Floor
465 South King Street
Honolulu, Hawaii 96813

Dear Commissioners:

Subject: Docket No. 2008-0303
Advanced Metering Infrastructure
Waiver of Rule 2.3(g)(2) in General Order No. 7

The Hawaiian Electric Companies¹ hereby request the Commission to waive the following provision in Rule 2.3(g)(2) of General Order No. 7 as it applies to their application in Docket No. 2008-0303: "Failure of the Commission to act upon the matter and render a decision and order within 90 days of filing by the utility shall allow the utility to include the project in its rate base without the determination by the Commission required by this rule."²

On December 1, 2008, the Hawaiian Electric Companies filed an application in Docket No. 2008-0303 for approval of the Advanced Metering Infrastructure ("AMI") Project. The application contains a number of requests including approval to commit funds in excess of \$2,500,000 for this project, pursuant to Decision and Order No. 21002 ("D&O 21002") in Docket No. 03-0257. D&O 21002 revised Rule 2.3(g)(2) of General Order No. 7 to read: "Proposed capital expenditures for any single project related to plant replacement, expansion or modernization in excess of \$2,500,000 excluding customer contributions, or 10 per cent of the total plant in service, whichever is less, shall be submitted to the Commission for review at least 60 days prior to the commencement of construction or commitment for expenditure, whichever is earlier." The 90-Day Rule in Rule 2.3(g)(2) of General Order No. 7 also applies to this application.

¹ The "Hawaiian Electric Companies" or "Companies" are Hawaiian Electric Company, Inc. ("HECO"), Hawaii Electric Light Company, Inc. ("HELCO") and Maui Electric Company, Limited ("MECO").

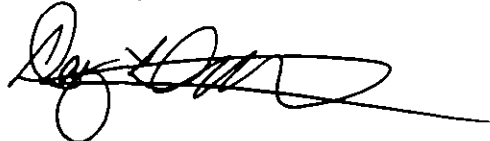
² The Companies herein refer to this provision as the "90-Day Rule."

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Section IX of the application explained that the project implementation schedule assumed Commission approval of the application by January 2010. Therefore, the Companies do not have a need for the Commission to render a ruling on their application within 90 days of the filing of the application and request the Commission to waive the 90-Day Rule.

The Companies have filed similar requests to waive or extend the 90-Day Rule in other proceedings. For example, HECO filed a series of letter requests to extend the 90-day period from April 29, 2005 to June 30, 2005 in Docket No. 04-0350. The Commission approved these requests in Order No. 21863. In Docket No. 05-0056, Order No. 21956 approved HECO's letter request to extend the 90-day period from July 29, 2005 to August 31, 2005. In Docket No. 2008-0321, HECO and the Consumer Advocate filed a stipulated procedural order that included a statement that "...HECO and the Consumer Advocate hereby waive the 90 day deadline for the Commission to issue a decision and order for the subject application." The Commission approved the stipulated procedural order on February 6, 2009. The Hawaiian Electric Companies request that the Commission similarly approve this request.

Very truly yours,



Darcy L. Endo-Omoto
Vice President
Government & Community Affairs

Enclosure

cc: Division of Consumer Advocacy
Life of the Land
Hawaii Renewable Energy Alliance
Hawaii Solar Energy Association

